

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

August 26, 2015

The meeting was called to order at 4:03 p.m. by Chair Barbara Thomas at 3600 Constitution Blvd., West Valley City, Utah

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Jack Matheson, Barbara Thomas, Clover Meaders, Latai Tupou, and Martell Winters

ABSENT Harold Woodruff and Brent Fuller

WEST VALLEY CITY PLANNING DIVISION STAFF

Steve Pastorik, Jody Knapp, and Margo Hoyt

AUDIENCE

Approximately Seven (7) people were in the audience

CONDITIONAL USE APPLICATIONS

C-39-2015

Big O Tires

3557 South 5600 West

C-2 Zone (.7 Acres)

The applicant, Jesse Fox, representing Big O Tires, is requesting a conditional use amendment for expansion of a tire service center at 3557 South 5600 West. The zoning for this area is C-2, General Commercial. The West Valley City General Plan designates this area as Mixed Use. The surrounding zone is primarily C-2 with C-1 and R-1-8 to the west across 5600 West. The surrounding uses include a Tunex to the north, a UTA park and ride lot to the east, vacant land to the south and retail/residential to the west.

Big O Tires would like approval to expand their facility with an addition on the east side of the building that would have three (3) working bays (a fourth bay door would be utilized for storage) and a second story storage area for the business. There is currently a small addition and two (2) large storage containers in this area so these would be removed and that space would be incorporated in to the new addition. The space is approximately 2,000 square feet and will be constructed of block that is painted to match the existing building.

The site was originally developed in conjunction with the property to the north (C-33-96). They have a shared access and shared parking arrangement. There are 37 stalls located on two properties. There must be a minimum of three (3) parking spaces per service bay provided. There are currently 4 bays at Tunex, 6 existing bays at Big O Tires, and there will be 3 additional service bays. Therefore, 39 parking spaces are required between the two uses. Staff feels that the site can accommodate the addition and parking should not be an issue due to the services provided by the two businesses.

The landscaping on site is existing and occupies approximately 21% of the site between the two properties. There are mature trees throughout the setbacks and along the frontage. The planter area adjacent to the building is in need of some replenished plant material and will be re-landscaped as part of this project.

The signage on site will remain the same. There are some violations with temporary signage that the applicant will address. There was also recently some modifications done to the monument sign on site. A permit must be submitted for those changes and all signage is required to meet the West Valley City Sign Ordinance.

Staff Alternatives:

Approval, subject to the resolution of any concerns raised at the public hearing as well as the following conditions:

1. The building addition shall be constructed per the approved plans.
2. The landscaping on site shall be properly maintained.
3. All signage shall comply with the West Valley City Sign Ordinance, including but not limited to all temporary signs and monument signs.
4. All requirements of affected departments and agencies must be met.

5. This use is subject to review upon a valid complaint.

Continuance, to allow for the resolutions of any issues raised at the public hearing.

Applicant:

Nathaniel Rattner
423 W 800 S
SLC, UT 84101

Discussion: Jody Knapp presented the application. Barbara Thomas asked if a conditional use amendment would need to be requested in the future if the applicant wanted to use the 4th bay. Jody replied they would need to acquire an additional parking agreement with neighboring businesses. Chairman Thomas asked the applicant, Nathaniel Rattner, if he was aware of the landscaping and signage requirements. He stated Jody has spoken with the owner and he is aware of it.

Motion: Commissioner Matheson moved for approval subject to the 5 staff conditions.

Commissioner Tupou seconded the motion.

Roll call vote:

Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Tupou	Yes
Commissioner Winters	Yes
Chairman Thomas	Yes

Unanimous-C-39-2015- Approved

C-40-2015

Prom Plaza II (David Prom)

1821 West 3600 South

C-2 Zone (.45 Acres)

The applicant, David Prom, is requesting a conditional use for a multi-tenant retail building at 1821 West 3600 South. This property is zoned C-2, General Commercial, and the West Valley City General Plan designates this area as General Commercial. The adjacent property to the south is zoned RM and the remaining areas are C-2. The surrounding uses include the Homestead Farms residential development to the south, Hour Chiropractic will soon be constructed to the east, the west side is vacant land that is yet to be developed and there is retail/commercial to the north.

This site is designated as Lot 4 of the Plaza 3600 Business Park shopping center which was approved by the Planning Commission in November of 1998 (C-26-98). The original 17 lot development anticipated future retail uses on this property. Access to the site is gained off of 3600 South, which is a private road. The original approval specified that each development must be reviewed as a separate conditional use before the Planning Commission since the tenants were not known at the time of the overall approval. This particular site was originally approved for a single tenant grocery store in 2006 (C-9-2006). However, prior to construction a space became available in the existing building just north of this site so Mr. Prom put this project on hold and moved into that completed space. In 2014, Mr. Prom submitted another proposal which was approved by the Planning Commission however that application has since

expired (C-18-14). The applicant is now ready to move forward and develop this parcel. The building and site design for this application is similar to the 2014 submittal which includes a multi-tenant building for up to four separate retail tenants.

The landscaping for this site was approved as part of the overall shopping center landscaping concept. This included a minimum of 7 feet of landscaping along the private drive with street trees. Trees were originally planted along 3600 South when the roadway was improved however the trees have since been removed from this portion of the site and will need to be replaced as part of this project. The remaining landscaping on site must meet the 15% minimum area of landscaping as required in the C-2 Zone which includes a 5' strip of landscaping adjacent to the parking lot on the east side and a 10' wide landscaped area adjacent to the residential property to the north. These areas must include 50% live plant materials and trees.

The building design must comply with the Commercial Design Ordinance. The building will be constructed of a mixture of split and smooth faced colored concrete block. There will be a stepped parapet wall with a pitched tile roof accent on the north side of the building that faces 3600 South. There will also be canvas awnings above the windows. All but the south side of the building will be visible from the road so some detail has been added to the back of the building (west elevation) as well to achieve a 360-degree architectural finish.

The parking for the site has been calculated for retail or office uses (1/250 sqft). Therefore, 20 spaces are required, and 21 have been provided. There would not be sufficient parking for any restaurant type tenants.

Since the property is adjacent to a residential community a 6' tall solid masonry wall must be constructed along the entire southern boundary. The wall will be constructed of CMU Block to match the building. A similar enclosure will also be constructed around the dumpster located on the site. Any mechanical equipment proposed on site or on the building shall also be properly screened from view per the standards set forth in the West Valley City Code.

A lighting plan must also be submitted and the site must comply with the standards set forth in the West Valley City Code. Any lighting installed adjacent to residential uses shall be installed and/or shielded so it does not negatively impact those adjacent uses.

The applicant has indicated that only wall signage will be proposed for this site. All signage shall comply with the West Valley City Sign Ordinance, to include no more than 15% signage on the front building face, and 5% on the remaining sides, and no more than 50% of the window area shall be covered in signs. A building permit must be issued for all signage. Ground signage has not been proposed at this time.

Staff Alternatives:

Approval of the conditional use for the retail center on lot 4 of the Plaza 3600 Business Park subject to compliance with all of the City's zoning ordinances and the following:

1. The landscaping must be completed per the approved site plan and in accordance with applicable standards in the West Valley City Municipal Code including but not limited to a minimum 7' wide landscaped area along 3600 West with three trees per C-26-98.
2. The building must be designed in accordance with the Commercial Design Standards.
3. There must be adequate parking on site for the proposed tenant mix.

4. A 6' masonry wall shall be installed along all residential zone boundaries.
5. The dumpster location shall be at least 20' from any residential boundary and completely secured with a 6' tall masonry enclosure.
6. All mechanical equipment on site must be properly screened.
7. All lighting shall be designed per Title 7 and not negatively impact adjacent residential uses.
8. All signage must comply with the West Valley City Sign Ordinance.
9. Must meet requirements of all effected departments and agencies.
10. Subject to review upon valid complaint.

Continuance for reasons determined in the meeting.

Applicant:

Fred Cox
4466 Early Duke Street

Discussion: Jody Knapp presented the application. Fred Cox provided an explanation of the proposed building location at the back of the lot. Mr. Cox and Commissioners discussed maintaining the landscaping behind the building. Mr. Cox stated that two doors have been added to the back of the building for the purpose of maintaining the landscaping. Commissioner Thomas asked Mr. Cox if he is aware of the landscaping requirements for the front of the building. Mr. Cox replied he is aware of the requirements. Commissioners and Mr. Cox discussed the elevations and look of the building facing east and west.

Motion: Commissioner Winter moved for approval subject to the ten (10) items listed on staff report.

Commissioner Meaders seconded the motion.

Roll call vote:

Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Tupou	Yes
Commissioner Winters	Yes
Chairman Thomas	Yes

Unanimous-C-40-2015- Approved

C-41-2015

JRS Leasing (Errol Bevan)
4671 West 3500 South
C-2 Zone (.53 Acres)

The applicant, Errol Bevan with JRS Leasing, is requesting a conditional use for auto related uses at 4671 West 3500 South. The zoning for this area is C-2, General Commercial and the West Valley City

General Plan designates this area as General Commercial. The surrounding zone is C-2 on the north, east and west sides with R-1-8 to the south. The surrounding uses include auto service/retail to the north, Advanced RV to the east, NAPA auto parts to the west and Valley Vu Villas senior residential community to the south.

The site was originally constructed for boat storage and shop space in 1982 (amend C-274-1975) and has historically been used for auto related uses. There was a fire in the building in 2009 and the shell of the building has remained on the property. At this time Mr. Bevan would like to reconstruct that building and develop the site.

The building is approximately 6,000 square feet (36'x166') and is constructed of cinderblock with 7 overhead doors. There will be 21 parking spaces on site (3/service bay). Staff recommends that 7 stalls be labeled for customer parking, 7 stalls be labeled for employees, and the remaining stalls can be used as parking for vehicles awaiting repairs. The site cannot be used for outside storage of any kind including but not limited to vehicles or parts. Also, the existing surfacing is in poor condition and will need to be repaired or replaced.

There is currently no landscaping on site. Mr Bevan has indicated that the required setbacks, which include 5' of landscaping adjacent to commercial and 10' adjacent to residential, will be added to the site. The landscape plan currently shows that there will be 12.6% landscaping on site. The minimum required is 15% and staff feels that the landscaping adjacent to the residential boundary could be increased so the site would comply with the minimum required percentage and a reduction is not necessary. This would also provide a wider buffer to the residential community to the south. Staff also suggests that the plantings in this setback be increased to provide more screening since the bay doors and lighting are directed towards the residential neighbors.

There is currently an existing masonry wall adjacent to the residential property that must remain in place. A masonry enclosure will also be provided for the dumpster that will be added to the site. This dumpster must be at least 20' away from the adjacent residential boundary.

The Fire Department has reviewed the proposal and will require a second access to the property. A gate will be located along the western fence to provide emergency access only. A copy of the recorded easement agreement for this access has been submitted.

A site review was conducted and there are currently vehicles and parts stored in the parking lot and within the building shell. There are no current business licenses for this site. The site must be cleared of all outside storage and debris before a building permit can be issued and the site must be in compliance with all of the conditions of approval before any business licenses will be issued.

During the study session the Planning Commission expressed some concerns regarding the hours of operation for auto related uses due to the close proximity to residential homes. Therefore, staff suggests a limitation on the hours of operation for auto related uses from 8:00 a.m. – 6:00 p.m. Furthermore, there shall be no auto work conducted outside of the building and all of the overhead doors must remain closed while work is being conducted.

The site does not have frontage along any roads so the only signage that is proposed is wall signage.

Staff Alternatives:

Approval, subject to the original conditions of approval for this use, the resolution of any concerns raised at the public hearing, as well as the following conditions:

1. The building shall be constructed per the approved plans.
2. The site may be used for auto repair services and all work conducted on vehicles must be completed within the enclosed building on site with the overhead doors securely closed.
3. There shall be a minimum of 7 parking spaces provided and designated as customer parking and 7 parking spaces designated for employees. All other parking spaces may be parking for vehicles awaiting repairs.
4. There shall be no outside storage of any kind including but not limited to inoperable vehicles, vehicle parts or tires.
5. The minimum required landscaping for the site shall be a 10' wide strip adjacent to residential. No other landscaping is required on site at this time.
6. The density of landscaping adjacent to residential uses shall be increased and shall include a mixture of evergreen and deciduous trees and shrubs to provide additional screening of the adjacent residential development.
7. Lighting shall be installed so it does not negatively impact the adjacent neighbors and a lighting plan shall be submitted that verifies that the lighting complies with the West Valley City Code.
8. A six-foot masonry wall is required adjacent to residential uses. All walls and fencing on site must be maintained in good condition.
9. A six (6) foot high concrete or masonry enclosure with a solid gate must be constructed for the dumpster on site.
10. A secondary access must be provided on site per the West Valley City Fire Department. All access agreements must be recorded.
11. There shall be no unlicensed business activity permitted and the site must be clear of all outside storage prior to the issuance of a building permit.
12. All conditions of approval must be complete prior to the issuance of any business licenses.
13. All surfacing shall be maintained and in good condition and free of potholes and weeds.
14. The hours of operation for auto related uses shall be limited to 8:00 a.m. – 7:00 p.m.
15. All signage shall comply with the West Valley City Sign Ordinance, including all wall and temporary signs, and a Building Permit is required for all permanent signage.

16. All requirements of affected departments and agencies must be met.
17. This use is subject to review upon a valid complaint.

Continuance, to allow for the resolutions of any issues raised at the public hearing.

Applicant:

Errol Bevan
317 Baker Lane
Grantsville, UT 84029

Opposed:

Barbara Arden
3549 Villa View Dr #B

Applicant

Del Ray Bevan
4184 Jensen Circle

Opposed:

Robert Berman
473 Saddlewood Cir.

Discussion: Jody Knapp presented the application and stated that she received an additional letter from Mr. Bevan that had been added to the PC packet. She indicated that she also received a letter from a neighbor regarding concerns relating to the auto business and added that she has also received several phone calls from other residents. Barbara Thomas asked if the calls were related to the hours. Jody stated the letter and phone calls commented on hours, loud noises, and preferred that a shop not be located there. Mr. Bevan stated concerns regarding some of the items on the list of requirements. Discussion between Mr. Bevan, commissioners and staff regarding question of shop doors open during business hours while working on autos. Staff and Commissioners stated it is a requirement repairs be conducted inside an enclosed building with doors closed. Discussion with landscaping was accepted with the reduction to 10 feet. Staff, commissioners and Mr. Bevan discussed solar lighting outside the building with two or three lights. Jody stated Mr. Bevan is required to have a photo metric plan submitted when business is located next to residential. Mr. Bevan stated he would submit lighting plans to meet code. Discussion regarding business licenses was discussed. Mr. Bevan asked if he could let his tenant stay in the building and continue working without a business license. Commissioner Thomas stated no business can be held there without a license. Continued discussion regarding surfacing the parking lot, filling potholes and removing weeds. Mr. Bevan agreed. Discussion between Mr. Bevan and Commissioners regarding hours of operation. Mr. Bevan requested 9am-9pm. Commissioner Thomas suggested 8am to 7pm. Commissioner Tupou stated 9am to 7pm with nearby residents. Mr. Bevan asked for 8am to 7pm. Commissioner Thomas stated the issue will be resolved with the motions. Commissioner Thomas asked if anyone else wished to speak.

Barbara Arden stated that she lived in the neighboring condos for 12 yrs. Has had problems with noise and late hours in the past several years ago with this building. Tenant now OK but 7pm is late enough for business hours.

Del Ray Bevan spoke of insurance on building time of fire. Stated lighting requirements on building OK. Will work with the 10 feet landscaping.

Robert Berman representing the property owner to the North requesting Mr. Bevan not secure new building to theirs as it was in the past. Mr. Berman asked how many bays and tenants are shown on the new plans. Jody stated 7 bays. Tenants will be reviewed when building permit is issued. Mr. Berman ask if each tenant will have separate bathrooms. Jody stated yes. Mr. Berman asked about utilities, fire hydrant, and dogs. Jody stated there is no ordinance they

cannot have a dog. It would become an issue if calls came in for barking. Commissioner Thomas asked regarding access of utilities. Jody stated Granger Hunter Improvement District have been involved in the meeting and there are no issues with the water. The fire hydrant is listed as a public fire hydrant. Commissioner Winters asked about the north wall. Jody stated plans show construction of new wall which is freestanding and not attached to existing building. There will be a fire wall in between buildings.

Commissioner Matheson asked if the existing shell wall has been inspected for structure, new masonry wall and new footings. Mr. Bevans stated yes.

Del Ray Bevan stated they paid for easement to have utilities hooked up. Commissioner Matheson asked if they have water sewer service from Hunter Granger. Mr. Bevan's said yes.

Motion: Commissioner Meaders moved for approval subject to the 17 staff conditions and modifying condition 5 to state: There shall be a minimum of 15% landscaping on site including but not limited to 5' adjacent to commercial and 10' adjacent to residential and condition 14 to state: The hours of operation for auto related uses shall be limited to 8:00 a.m. – 6:00 p.m.

Commissioner Winters seconded the motion.

Roll call vote:

Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Tupou	Yes
Commissioner Winters	Yes
Chairman Thomas	Yes

Unanimous-C-41-2015- Approved

PLANNING COMMISSION BUSINESS

Approval of Minutes from August 12, 2015 (Regular Meeting) **Approved**
Approval of Minutes from August 19, 2015 (Study Session) **Approved**

There being no further business, the meeting adjourned at 5:45 p.m.

Respectfully submitted,

Margo Hoyt, Administrative Assistant